

ASSEMBLY BILL

No. 719

**Introduced by Assembly Member Bonnie Lowenthal
(Coauthors: Assembly Members Ammiano, Beall, Hall, John A.
Perez, Portantino, Skinner, and Torres)**

February 26, 2009

An act to add Section 18901.4 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 719, as introduced, Bonnie Lowenthal. Transitional food stamps for foster youth.

Existing law declares the duty of the state to care for and protect the children that it places into foster care. Under existing law, the State Department of Social Services has various powers and duties relating to ensuring that the needs of foster children are met.

Existing law requires the State Department of Health Care Services, if, and to the extent that, all necessary federal approvals are obtained for federal financial participation, to implement a federal option to extend Medi-Cal benefits to independent foster care adolescents, as defined in federal law.

Existing law provides for the federal Food Stamp Program, under which each county distributes food stamps provided by the federal government to eligible households. The Food Stamp Program is administered at the state level by the State Department of Social Services.

This bill would require the department to create the Transitional Food Stamps for Foster Youth Program, effective July 1, 2010. The program would provide independent foster care adolescents who are not eligible

for CalWORKs or SSI benefits, with eligibility for food stamps without regard to income or resources.

This bill would require the department to implement its provisions by all county letter or similar instructions, and would prescribe additional duties of the department in connection with the transitional food stamp program. This bill would be implemented only to the extent that federal financial participation is available.

By increasing county duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 18901.4 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 18901.4. (a) Effective July 1, 2010, the department shall create
- 4 a Transitional Food Stamps for Foster Youth program under which
- 5 independent foster care adolescents, as defined in Section
- 6 1905(w)(1) of the federal Social Security Act (42 U.S.C. Sec.
- 7 1396d(w)(1)) and who are not eligible for CalWORKs or
- 8 Supplementary Security Income program benefits, shall be eligible
- 9 without regard to income or resources.
- 10 (b) An individual eligible for the program created pursuant to
- 11 this section shall receive the maximum benefit amount allotted for
- 12 a household size of one for the initial certification period, which
- 13 shall remain constant for the entirety of the initial certification
- 14 period. The food stamp case shall be established and maintained
- 15 in the county of jurisdiction designated by the terminating foster
- 16 care case.
- 17 (c) An individual eligible pursuant to this section shall be
- 18 entitled to a 12-month certification period and shall be exempt

1 from any quarterly or semiannual reporting requirement during
2 the certification period.

3 (d) Notwithstanding any other provision law, Chapter 4.6
4 (commencing with Section 10830) of Part 2 of Division 9 shall
5 not apply to individuals eligible under this section during the
6 12-month transitional food stamp program certification period.

7 (e) Not later than March 1, 2010, the department shall seek all
8 necessary federal waivers to implement this section for these
9 beneficiaries. This section shall be implemented only to the extent
10 that federal financial participation is available.

11 (f) The department shall implement this section by an all county
12 letter (ACL) or similar instruction from the director and shall adopt
13 regulations as otherwise necessary to implement this section no
14 later than January 1, 2011.

15 (g) The department shall establish a new aid code for individuals
16 receiving benefits pursuant to this section, in order to differentiate
17 these cases from the standard Non-assistance Food Stamp (NAFS)
18 case.

19 SEC. 2. If the Commission on State Mandates determines that
20 this act contains costs mandated by the state, reimbursement to
21 local agencies and school districts for those costs shall be made
22 pursuant to Part 7 (commencing with Section 17500) of Division
23 4 of Title 2 of the Government Code.